

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

DAVID DELL'AQUILA, LORANNA	)	
BORJA, TODD CHESNEY, and BRENT	)	
WEBER, on behalf of	)	
themselves and all others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	No: 3:19-CV-00679
- against -	)	Judge William L. Campbell Jr.
	)	
NATIONAL RIFLE ASSOCIATION	)	Magistrate Judge Chip Frensley
OF AMERICA,	)	
	)	
	)	
Defendant.	)	

**NOTICE OF WITHDRAWAL OF DEFENDANT NATIONAL RIFLE  
ASSOCIATION OF AMERICA'S MOTION TO DISMISS**

On April 11, 2022, Defendant National Rifle Association of America ("NRA") filed its Motion to Dismiss for failure to prosecute (Dkt. 78). On August 16, 2022, new counsel appeared for Plaintiffs (Dkt. 89). Defendant NRA now files this Notice to withdraw the Motion to Dismiss.

Dated: August 16, 2022

Respectfully submitted,

By: /s/ W. Allen McDonald

LACY, PRICE & WAGNER PC  
W. Allen McDonald  
249 N. Peters Rd., Suite 101  
Knoxville, TN 37923  
(865)-246-0800

BREWER, ATTORNEYS & COUNSELORS  
William A. Brewer (admitted *pro hac vice*)  
750 Lexington Avenue, 14th Floor  
New York, NY 10022  
(212)-489-1400  
ATTORNEYS FOR THE NATIONAL RIFLE  
ASSOCIATION OF AMERICA

## **CERTIFICATE OF SERVICE**

I, W. Allen McDonald, hereby certify that I caused a true and correct copy of the foregoing to be electronically filed with the Clerk of the Court on August 16, 2022, using the CM/ECF system, which will send notification to all counsel of record as listed below.

William A. Brewer, Esq.  
750 Lexington Avenue, 14th Floor  
New York, NY 10022  
Email: [wbb@brewerattorneys.com](mailto:wbb@brewerattorneys.com)  
*Co-Counsel for National Rifle Association*

John R. Wingo, Esq.  
401 Commerce Street, Suite 800  
Nashville, TN 37219  
Email: [john.wingo@stites.com](mailto:john.wingo@stites.com)

I also emailed the foregoing to the following counsel based upon the representation that their respective pro hac vice applications are pending.

T. Morgan Ward, Jr.  
Chadwick A. McTighe  
400 West Market Street, Suite 1800  
Louisville, KY 40202  
Email: [mward@stites.com](mailto:mward@stites.com)  
[cmctighe@stites.com](mailto:cmctighe@stites.com)

Michael I. Kanovitz  
Jonathan I. Loevy  
LOEVY & LOEVY  
311 North Aberdeen Street, 3rd Floor  
Chicago, IL 60607  
Email: [mike@loevy.com](mailto:mike@loevy.com)  
[jon@loevy.com](mailto:jon@loevy.com)

Date: August 16, 2022

/s/ W. Allen McDonald